S. B. C. W. P. NO.2422/03

DATE OF ORDER : 16.08.2004

HON'BLE SHRI N.P.GUPTA,J.

Mr.L.R.Upadhyay Dy.G.A. for the petitioner.
Mr.Lalit Kawadia for the respondents.

Heard learned counsel for the petitioner.

It is not in dispute that the factory has already been commissioned way-back in the year 1997, which is slightly belated as compared to the stipulations that the industry was required to be set up within two years of the allotment, but then, the allotment was made in the year 1991, and the possession of the land was not given to the allottee till the year 1993. In these circumstances, I am not inclined to view the delay with that seriousness as to dislodge the factory, which has already been commissioned, the other ground raised was that the precise plant has been commissioned on a very small portion of the land, but then, the learned counsel for the petitioner doesn't dispute that the area covered by the plant is in accordance with the application for allotment.

In that view of the matter, I do not find any sufficient ground to interfere with the impugned orders. The writ petition is, therefore, dismissed summarily.

(N.P.GUPTA),J.

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